

-----Original Message-----

From: Tom Healy - Baronius Press [mailto:[th@baroniuspress.com](mailto:th@baroniuspress.com)]  
Sent: 19 November 2013 10:58  
To: [mail@novaetvetera.de](mailto:mail@novaetvetera.de)  
Subject: RE: Mercier Press

Dear Benedikt,

Thanks for this information - we are now working hard to produce a convincing reply to persuade TAN that this is not a fight they can win.

One aspect that I am keen to tie up is the succession in the rights to the work - recently I have managed to acquire two wills of English authors from [REDACTED].

From a brief internet search I believe something similar exists in Germany -  
[REDACTED]

Presumably Eichstaett court has a copy of Dr. Ludwig Ott's will and we can fill in a form in the same way as in the UK. If TAN books decides to publish the title, we need to be able to act to stop this, with an injunction. This will require us to prove the copyright ownership and whilst we have ownership of the Mercier copyright, the case will be substantially strengthened by being able to prove the underlying copyright as well as this is where the ultimate rights are derived from.

With best wishes,

Tom

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From: [mail@novaetvetera.de](mailto:mail@novaetvetera.de) [mailto:[mail@novaetvetera.de](mailto:mail@novaetvetera.de)]  
Sent: 15 November 2013 02:20  
To: Tom Healy - Baronius Press  
Subject: Re: Mercier Press

Dear Tom,

the content of the contract between Herder and Mercier Press is pretty normal:

...

Art 5

Regarding the exclusive distributing of the English edition in the USA there will be written agreement between The Mercier Press and Herder-St. Louis. One copy of this agreement will have to be sent to Herder in Freiburg (Germany).

Meaning that Herder-St. Louis does not have a right to produce or publish copies but will be the sole distributor for the US.

( However I can't read the handwritten amendment to Art. 2.)

Art 6